CITY HALL COUNCIL CHAMBERS
SANTA MARIA, CALIFORNIA
REGULAR MEETING

February 17, 2009

INVOCATION:
Pastor David Brogren of Heritage Church gave the invocation.

PLEDGE OF ALLEGIANCE TO THE FLAG:
Councilmember Cordero led the Pledge of Allegiance.

CALL TO ORDER:
Mayor Lavagnino called the Regular Meeting of the City Council to order at 6:30 p.m.

ROLL CALL:
MEMBERS PRESENT
Councilmembers Cordero, Orach, Patino, and Mayor Lavagnino

MEMBERS ABSENT
Councilmember Zacarías

STAFF MEMBERS PRESENT
City Manager Ness, City Attorney Trujillo, Assistant City Manager Haydon, Director of Public Works/City Engineer Whitehead, Acting Director of Community Development Woods, Police Commander Ritz, Fire Chief Ortiz, Director of Utilities Sweet, Director of Administrative Services Snodgrass, Director of Recreation and Parks Posada, Advance Planner Smith, and Chief Deputy City Clerk Perez.

ANNOUNCEMENTS:
Mayor Lavagnino announced that because of the number of people wishing to speak on Item 9, the Operations and Maintenance Contract for SMAT, he would move that item forward on the agenda following Item #4.

Mayor Lavagnino announced that he and Director of Utilities Sweet traveled to Washington, D. C. last week to try to secure funding for the Santa Maria River Levee. He asked Director Sweet to report on their trip.

Director Sweet stated the purpose of their trip was to advocate for funding for the Santa Maria River Levee, and also spoke briefly about the widening of the Santa Maria River Bridge and an Auto Vehicle Location System for Police vehicles. The President's stimulus package has $400 million for flood-control projects. The Santa Maria River Levee is expected to cost around $40 million. The selection of which projects were approved for stimulus funding would be done by the Army Corps of Engineers so part of the emphasis of the trip was to meet with the Army Corps of Engineers. The Army Corps was looking to fund entire projects. The entire levee project could possibly be funded through the stimulus package. The local Division and District Commanders for the Army Corps were extremely excited about the levee project. They positioned the project in such a way that it met all the criteria for funding under the stimulus program. The City was also looking at funding through a portion of the Appropriations Bill for Energy and Water. There was currently $6 million in the Senate version of the Appropriations Bill and $8.5 million in the House version of the bill for 2009. According to the Army Corps of Engineers, the City would have some type of project by this summer; however, the extent of the project would depend on the level of funding. Councilmember Orach and Councilmember Cordero met with the Division and District Commanders and Assistant Secretary of the Army, J. P. Woodley, while he and the Mayor were in Washington, D. C. They talked about the importance of the levee project and the likelihood that something would happen this summer. The other opportunity for funding might be the President's budget.

Councilmember Orach reported that he and Councilmember Cordero met with Assistant Secretary Woodley; Colonel Janice Dombi, Commander and Division Engineer for the South Pacific Division; and Colonel Tom Magness, Los Angeles Division Commander. They said the Santa Maria River Levee was a number one priority for the Army Corps Engineering Division and Environmental Division. He presented a medallion to the Mayor from Assistant Secretary Woodley.

GEM AWARD

City Manager Ness presented the quarterly "Going the Extra Mile (GEM)" Award to Patty Ellis, Special District Planning Technician, and Louie Raygoza, Senior Crew Leader/Maintenance Specialist, in recognition of their many years of positive service to co-workers and the community by organizing fundraising efforts and creating the current "Adopt A Family" fundraising program which assists both City employees, their families, and members of the community who are facing tough financial and emotional times.

Patty Ellis stated they started this program about 14 years ago and have raised over $50,000 to help City employees and the community at large.

Louis Raygoza thanked Director of Recreation and Parks Posada for supporting them in their efforts and the employees who have pitched in and donated over the years.

VOLUNTEER OF THE MONTH

Councilmember Patino presented a gift to Julie Carroll, the Recreation and Parks Volunteer of the Month for February 2009, for the extraordinary way she supports the Police Athletic League (P.A.L.) Boxing Program by giving special attention to the teens and adults who frequent the program and by being a true role model and advocate for females interested in boxing.

PUBLIC COMMENT

Paula James announced that the Central Coast Minuteman Civil Defense Corps would be hosting an Immigration Symposium entitled "Government Failure and Illegal Immigration! Does Rule of Law Matter?" on Thursday, February 19th, 7:00 p.m. at the Santa Maria Inn Meeting Room. She invited the Mayor and City Council to attend.

Antoinette Frascogna spoke regarding comments that had been made continuously to the City Council regarding Colorado Street by Glenda Stafford. Miss Stafford attacks elders and humiliates children on the street. She asked Miss Stafford to stop the fabricated accusations and let the Police Department do their job. The Police Department did a wonderful job; however, tax payers' dollars were being wasted on Miss Stafford's false accusations.

Aidaly Valdez, Santa Maria High School student, spoke about the Governor's budget proposal to cut funding to schools.

Sue Savins also spoke about school funding problems. She asked the Council to support their efforts to keep funding cuts away from schools.

CONSENT CALENDAR

Councilmember Patino requested Item 3K be pulled for comment.

Item 3K – Notice of Contract Completion/Alvin Elementary Safe Routes to School.
Councilmember Patino commented on the work that was done to make it safer for children to walk to school. It was very important to keep the children safe.

Consent Calendar Items A through P were approved on motion by Councilmember Orach, seconded by Councilmember Patino, and carried on the following vote:

AYES: Councilmembers Cordero, Orach, Patino, and Mayor Lavagnino
NOES: None
ABSENT: Councilmember Zacarías
ABSTAIN: None

A. ORDINANCES
The reading in full of all ordinances and resolutions was waived. Ordinances on the Consent Calendar were adopted by the same vote cast at the first reading unless City Council indicated otherwise.

B. MINUTES
The Minutes of the Regular City Council Meeting of February 3, 2009, were approved as submitted.

C. RELEASE OF BOND
Council accepted as complete the public improvements associated with Celebration, Tract 5921, and authorized the release of a Faithful Performance Bond in the amount of $119,000 posted for the installation of public landscaping and irrigation improvements, with the order that the Contractor, Labor and Material Bond be retained until August 2009 and the Planting and Irrigation Maintenance bond be retained until February 2010.

D. RELEASE OF BOND
Council accepted as complete the public improvements associated with Rose Garden Village, Tract 5725, and authorized the release of a Faithful Performance Bond in the amount of $78,143.20 posted for the installation of 776 street and easement trees, including maintenance for one year.

E. RELEASE OF BOND
Council accepted as complete the public improvements associated with Rose Garden Village, Tract 5725, Unit 2, and authorized the release of a Faithful Performance Bond in the amount of $28,095.30 posted for the installation of 279 street and easement trees, including maintenance for one year.

F. RELEASE OF BOND
Council accepted as complete the public improvements associated with Rose Garden Village II, Tract 5836, and authorized the release of a Faithful Performance Bond in the reduced amount of $13,565.50 posted for the installation of public landscaping and irrigation improvements, including maintenance for one year.

G. WARRANTS
Warrant Nos. 148393 to 148719 totaling $1,397,867.20 were ordered ratified subject to having been certified as being in conformity with the budget and having been approved for payment by the Director of Administrative Services. Warrant Nos. 146289, 146347, 146381, 146382, 147520, and 148175 were cancelled.

H. PAYROLL
Payment of payroll was ordered ratified subject to having been certified by the proper Department Heads, as shown on records on file in the Department of Administrative Services and having been approved for payment by the Director of Administrative Services.

I. ORDINANCE NO. 2009-06
Council conducted the second reading by title only of Ordinance No. 2009-06 prohibiting the outdoor display and sale of flowers except for established businesses that sell flowers, certified farmers' markets, and the legal nonconforming swap meet at Hi-Way Drive-In and adopted the Ordinance.

Ordinance No. 2009-06 adopted. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, AMENDING SECTIONS 12-35.302 AND 12-43.01 OF TITLE 12 OF THE SANTA MARIA MUNICIPAL CODE TO PROHIBIT THE TEMPORARY OUTDOOR DISPLAY FOR SALE OF FLOWERS EXCEPT BY ESTABLISHED BUSINESSES THAT SELL FLOWERS.

J. NOTICE OF COMPLETION
Council approved the Notice of Contract Completion for Public Library Signage, Bid No. 2008/04, and directed the Chief Deputy City Clerk to record the Notice.

K. NOTICE OF COMPLETION
Council approved the Notice of Contract Completion for Safe Routes to School – Alvin Elementary Project, Bid No. 2009/05, and directed the Chief Deputy City Clerk to record the Notice.

L. NOTICE OF COMPLETION
Council approved the Notice of Contract Completion for Well #11 Waterline Extension, Bid No. 2009/06, and directed the Chief Deputy City Clerk to record the Notice.

M. CALL FOR BIDS
Council gave approval to call for bids on the plans and specifications for 2009 Street Overlay and Reconstruction, Bid No. 2009/01.

N. CALL FOR BIDS
Council gave approval to call for bids on the plans and specifications for West Stowell Road Reconstruction, Bid No. 2009/12.

O. ANNEX AND ASSESS TO LANDSCAPE DISTRICTS
Resolution Nos. 2009-18, 2009-19, 2009-20 and 2009-21 were adopted approving the annexation and assessment of Good Samaritan Shelter, API Manufacturing Project, Diaz Tires/Central Coast Body & Paint, and Barcellus Plaza into the City's four Landscape Maintenance Districts.

Resolution No. 2009-18 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, ANNEXING AND AUTHORIZING THE ASSESSMENT OF LANDSCAPE MAINTENANCE FEES TO GOOD SAMARITAN SHELTER LOCATED IN THE NORTHWEST LANDSCAPE MAINTENANCE DISTRICT (STREET AND HIGHWAYS CODE SECTION 22500, ET SEQ.)

Resolution No. 2009-19 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, ANNEXING AND AUTHORIZING THE ASSESSMENT OF LANDSCAPE MAINTENANCE FEES TO API MANUFACTURING PROJECT LOCATED IN THE SOUTHWEST LANDSCAPE MAINTENANCE DISTRICT (STREET AND HIGHWAYS CODE SECTION 22500, ET SEQ.)

Resolution No. 2009-20 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, ANNEXING AND AUTHORIZING THE ASSESSMENT OF LANDSCAPE MAINTENANCE FEES TO DIAZ TIRES/CENTRAL COAST BODY & PAINT LOCATED IN THE NORTHEAST LANDSCAPE MAINTENANCE DISTRICT (STREET AND HIGHWAYS CODE SECTION 22500, ET SEQ.)

Resolution No. 2009-21 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, ANNEXING AND AUTHORIZING THE ASSESSMENT OF LANDSCAPE MAINTENANCE FEES TO BARCELLUS PLAZA LOCATED IN THE SOUTH MILLER STREET/SOUTH COLLEGE DRIVE LANDSCAPE MAINTENANCE DISTRICT (STREET AND HIGHWAYS CODE SECTION 22500, ET SEQ.)

P. GRANT APPLICATION
Resolution No. 2009-22 was adopted approving the application for $219,520 in Federal grant funding through the Land and Water Conservation Fund administered by the California Department of Parks and Recreation to be used for demolition of outdated, ineffective lighting fixtures at Simas Park Softball Field.

Resolution No. 2009-22 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING THE APPLICATION FOR LAND AND WATER CONSERVATION FUND SIMAS PARK LIGHTING PROJECT.

APPOINTMENTS TO ALL-AMERICA CITY AND LANDMARK COMMITTEES
Chief Deputy City Clerk Perez gave the staff report. The terms of office of certain members of the All-America City Committee and the Landmark Committee expired on

January 31, 2009. The City Council made several appointments to these two Advisory Bodies at its meeting of January 6, 2009, and authorized an extension of the filing deadline. The City Clerk's Office advertised the deadline extension in the Santa Maria Times, on the City's website, and posted a notice as required by State law. The deadline for applying for these vacancies was January 30, 2009. To fill the vacancy on the All-America City Committee, the applicant must represent the Community Education segment of the community. The appointee will serve a term of two years ending in January 2011. The nomination will be made by Councilmember Orach, appointment will be made by the Mayor, and confirmed by the City Council. Applications were received from: Art Contreras, Paul Dugal, Willie Green, Pasqual Melena, and Karen Sanchez. At the January 6, 2009, City Council meeting, the Council reappointed incumbent Marjorie Martin to the Landmark Committee. Incumbent James O'Neill did not reapply, and no other applications were received. After extending the deadline and readvertising, the following applications were received: Art Contreras, Paul Dugal, Anita Guillen, Pasqual Melena, and Edward Zemaitis. This appointment will be made by the Mayor and confirmed by the City Council.

All-America City Committee
Councilmember Orach nominated Willie Green to the All-America City Committee.

On motion by Mayor Lavagnino, seconded by Councilmember Patino, and carried unanimously, Willie Green was appointed to a two-year term on the All-America City Committee.

Landmark Committee
Mayor Lavagnino nominated Edward Zemaitis to the Landmark Committee.

On motion by Mayor Lavagnino, seconded by Councilmember Patino, and carried unanimously, Edward Zemaitis was appointed to a three-year term on the Landmark Committee.

OPERATIONS AND MAINTENANCE CONTRACT FOR SMAT
Director of Public Works/City Engineer Whitehead gave the staff report. He explained the differences in the procurement process for capital projects and professional services contracts. For the public transit contract a Request for Proposals (RFP) was required. The RFP process considered the entirety of the contractor's proposal and was the process mandated by the Federal Transit Administration. The City provided public transportation services consisting of fixed route services, known as Santa Maria Area Transit (SMAT); intercity fixed route service, known as the Breeze; and demand response service, known as the ADA Service. The current operations and maintenance of the City's bus service was provided under three different contracts: MV Transportation for operations for SMAT, ADA Service, and the Breeze), and Santa Maria Diesel for maintenance of all services. The contracts consisted of a three-year base term with two one-year extensions. The contracts, including the extensions, would expire on June 30, 2009. In addition, the City of Santa Maria made direct purchases of tires for the City's public transit services. In an effort to reduce costs, staff solicited proposals on September 19, 2008, for a single operations and maintenance contractor for fixed route and demand response services. The base contract would be for three years with seven one-year extensions. The scope of work consolidated operations, maintenance, and tires into one contract at a savings of nearly $2 million over the full term of the contract. Four proposals were received from the following firms: MV Transportation from Fairfield, California; Transportation Concepts from Irvine, California; McDonald Transit Associates from Dallas, Texas; and First Transit from Cincinnati, Ohio. The evaluation process to select the contractor conformed to the requirements established by the Federal Transit Administration. Based on the evaluation, the Selection Committee ranked the proposers as follows: (1) First Transit from Cincinnati, Ohio; (2) Transportation Concepts from Irvine, California; and (3) MV Transportation from Fairfield, California. First Transit was ranked as the top firm because of a superior key management team compared to the other firms and experience with maintaining the same vehicles in the City's bus fleet. McDonald Transit Associates was excluded from ranking because the firm was over the "competitive range" and did not secure a full management team to interview which was a requirement for the oral interview. He

indicated that the change to First Transit, if approved by Council, would not result in bus drivers and clerical staff, in good standing with the existing contractor, losing their jobs when the new contract took over.

Councilmember Orach stated this was the same process used five years ago when MV Transportation was selected to take over the contract from SMOOTH.

Mayor Lavagnino stated the transit services were funded from Transportation Development Administration (TDA) funds that could only be used for transit services and could not be used for anything else.

W. C. Pihl, MV Transportation, stated they have been proud to partner with the City. They were disappointed to learn they were not being recommended and thought it was because their proposal was higher that the City's budgeted costs. However, their price was actually $780,000 less than First Transit over the term of the contract and $200,000 less during the first three years. He asked why none of their achievements over the past five years were taken into consideration. He respectfully requested that the Council not accept staff's recommendation and award the proposal to MV Transportation.

Dwight Brashear, MV Transportation, stated he had been responsible for Santa Maria's contract since 2006. He talked about the quality team that operates the contract in Santa Maria. He did not understand how MV Transportation could go from being praised by Director Whitehead in October 2008 at the 30th Anniversary celebration to fighting for its very existence in Santa Maria.

Mary McKinley, local General Manager for MV Transportation, said she had worked for SMAT for over 20 years. She said she understood that City staff had questioned her management skills, and she took that very personally. She and her team provided excellent service to the community.

David Latimer, President of Teamsters Local 381, stated it had been his pleasure to represent the bus drivers for MV Transportation. He said the City would lose $780,000 when it signed the contract with First Transit, and that money could be put back into the transit system.

Brenda Miller stated she had been a bus driver in the City for 15 years. She was glad to hear they would be keeping the employees. The ridership has increased, and the drivers did a good job.

Daniel Gonzales, bus driver, stated what made him do his work was the public relations he had everyday with the riders. He was always happy to serve his community. He asked the Council to seriously consider renewing the contract with MV Transportation.

Oscar Warnstrom stated he has worked for SMAT for over 10 years, mostly driving ADA. He also asked the Council to keep MV Transportation. He talked about the amount of money the City would save if MV Transportation was awarded the contract.

Chuck Stockstill stated he and wife have lived in Santa Maria for over 14 years and used the ADA service. Santa Maria had a fixed route system and a paratransit system that was second to none. He said you couldn't measure human satisfaction.

Roy Haller stated he rode the bus whenever he had to go someplace, usually at least twice a day. The MV Transportation staff was excellent. The system was not broken, and did not need fixing.

Benji Ruiz stated he used to work in San Luis Obispo as a bus driver. First Transit got the contract, and he was laid off as well as five or six other drivers. If the Council considered First Transit, the same thing might happen.

Ernest Armenta stated his mother rode the bus. She liked the drivers and knew them all. He was sure the community was happy with the service. The drivers drove safely and obeyed the laws. He recommended staying with MV Transportation.

Jim Andrew, First Transit, thanked staff for recommending their company. They would bring a number of benefits to the City. They had an excellent management team and strong support staff in maintenance, safety, and operation. He assured the drivers, clerical staff, and maintenance staff that they would be made whole with First Transit. The bus drivers and clerical staff would not suffer a cut in pay or benefits. They were committed to a very smooth transition. They appreciated the support of staff and looked forward to working with the City. The City could be assured that they would take the transit system to the next higher level.

Councilmember Orach thanked everyone for coming. Five years ago the City went through this same process. There were a lot of people who came then and urged the Council to keep SMOOTH. It was a scary decision for the City Council at that time because SMOOTH had over 20 years operating SMAT. The new equipment was very sophisticated. The Council had to take into account the whole operation into the future with three contracts and maintenance of the equipment. The maintenance contract was one key issue. MV Transportation did not currently perform the maintenance of the fleet. The Council had to look at the people keeping their jobs and the system operating 100 percent into the future.

Councilmember Cordero stated many of his questions had been answered. One of the questions was what would happen to the employees, and he was glad to hear they would be made whole. He asked if the City's fleet was changing in the future which would require a different maintenance system.

Director Whitehead stated there were new technologies that would be implemented during the term of the new contract. One was an electronic fare box system. The other factor was the buses themselves, and First Transit demonstrated a superior ability to maintain the buses that the City currently has. Staff's recommendation was not because MV Transportation had not done a good job, it was that First Transit demonstrated an ability to do a superior job.

Councilmember Patino stated two things were very important to her. One was that the transit system served the citizens of Santa Maria in a quality way. It was important that people knew they would have a job with no loss in benefits. Those employees felt they were making an important contribution to the citizens of Santa Maria and were concerned about the people who rode their buses. The maintenance contract was very important and would be important to the future of the transit system in Santa Maria.

Mayor Lavagnino stated this was a difficult decision five years ago when the City switched from SMOOTH to MV Transportation. He shared the same concerns as the other Councilmembers. Santa Maria had to keep going forward.

Councilmember Cordero asked to have the funding for the program explained and the $211,525 difference in the proposals.

Director Whitehead stated it was a complicated subject. There were a number of different funding sources including State TDA funding and Federal Transit Administration (FTA) funding. The City made a claim for those funds each year. There were specific requirements for the accounting of that funding. The RFP process was mandated, and the guidelines were set forth by the FTA. The City followed those guidelines. He agreed that there would be more taxpayer money devoted to the new contract; however, that was allowed under the guidelines from the Federal government. Staff believed the difference in cost was worth the additional expertise, experience, and abilities First Transit had. MV Transportation had done a good job; however, they did not perform well during the selection process.

Resolution No. 2009-25 approving the Operations and Maintenance Contract to First Transit was adopted on motion by Councilmember Orach, seconded by Councilmember Patino, and carried on the following vote:

AYES: Councilmembers Orach, Patino, and Mayor Lavagnino
NOES: Councilmember Cordero
ABSENT: Councilmember Zacarías
ABSTAIN: None

Resolution No. 2009-25 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING THE AWARD OF THE OPERATIONS AND MAINTENANCE CONTRACT FOR THE CITY OF SANTA MARIA TRANSIT FIXED ROUTE AND DEMAND RESPONSE SERVICES.

CABRILLO ECONOMIC DEVELOPMENT CORPORATION PRESENTATION

Bertha Garcia explained that Cabrillo Economic Development Corporation (CEDC) was a private, non-profit community development corporation that was incorporated in 1981 and was based in Ventura County. CEDC provided comprehensive housing services that facilitated self-sufficiency for at-risk individuals and families. In response to the foreclosure problem, CEDC expanded its services into the Santa Maria area by opening a NeighborWorks® Homeownership Center (HOC) in December of 2007. NeighborWorks® America is a national non-profit organization created by Congress to provide financial support, technical assistance, and training for community-based revitalization efforts. Funding for CEDC's services in Santa Maria was provided primarily through a $100,000 grant from NeighborWorks® America. She talked about what the NeighborWorks® Homeownership Center (HOC) had been doing since opening its doors in December 2007. In 2008, there were 2,230 foreclosures in Santa Barbara County. The bulk of foreclosures were in Santa Maria, and the City continued to lead county-wide with the most foreclosures. The CEDC educated 193 families and counseled 293 individuals, resulting in 171 cases being closed with 151 of those cases or 88 percent having a positive outcome. The CEDC conducted 10 workshops to educate the general public and homeowners at risk of foreclosure. Two free workshops, one in English and one in Spanish, would be held on Saturday, February 21, 2009, at Shepard Hall in the Santa Maria Public Library.

Blanca Aguilera stated she thought she was going to lose her home. She contacted CEDC and was able to get her loan modified and keep her home.

Ricardo Berumen said he felt like he had a new house thanks to CEDC. He now had a lower payment on his loan and was very happy with their loan modification.

Ernest Armenta asked if the CEDC received any funding from the City.

City Manager Ness replied that the CEDC applied for CDBG funding last year but did not receive any. They opened their offices in Santa Maria with grant funding. They had been instrumental in helping Santa Maria residents keep their homes.

PRESENTATION OF THE SANTA MARIA VALLEY CHAMBER OF COMMERCE ECONOMIC DEVELOPMENT COMMISSION MID-YEAR REPORT FOR THE PERIOD JULY 1, 2008, THROUGH DECEMBER 31, 2008.

Robert Hatch, Chairperson of the Economic Development Commission (EDC), presented the report. A new two and a half year contract between the City and the Chamber (EDC) was approved in October 2007. Additional goals and objectives were ratified by the EDC and presented to the City during contract negotiations. Ads were placed in the *Skywest Magazine Special Commemorative Edition*, *Expansion Management Magazine*, and *Pacific Coast Business Times*. The Commission remained engaged with local companies to assure them that they had a key ally in the Chamber. In addition, the Commission and Chamber staff members continued to provide advice and assistance to numerous companies seeking to expand or relocate their operations. A relationship had been formed with the Santa Maria Manufacturer's Group to help in the promotion of common ideals. With the assistance of the EDC, the Patel Group was now in the process of building two new hotels at the north end of Broadway. The

Marriott Fairfield and Candlewood Hotel would bring an additional 160 hotel rooms to the City and approximately 100 jobs. Consulting with a leading health clinic, handling CalBIS inquiries, working with landowners of large properties for secured entitlements, and the continued work on the relocation of the DMV were a few examples of the EDC's business efforts. The Commission had been actively marketing the Santa Maria Public Airport and was continuing to support the airport business park. The Commission was keenly aware that retaining companies and businesses was as important as recruiting new ones, especially in the current economy. The Commission had also continued its involvement in numerous economic development activities such as sponsorship of the upcoming Vandenberg AFB Small Business Conference and Vendor Faire, direct involvement in the Revolving Loan Fund program, and support of community forums which promote the virtues of Santa Maria and Northern Santa Barbara County. The Chairman of the EDC was recently invited to join the highly respected California Industry and Trade Council which brings together local manufacturers, industry, and trade associations throughout California to connect them to statewide representatives in the State Capital.

Ernest Armenta asked if transient occupancy tax was City money, how it was collected, and if the Chamber of Commerce or whoever got the funds had to provide proof of their expenses.

City Manager Ness stated that transient occupancy taxes were usually not collected from the residents of the City, but rather from visitors who lived outside the City. The taxes were collected by the hotels and remitted to the City. On an annual basis the City Council made funding decisions on how to spend that money for the Chamber of Commerce, the Historical Society, and the Museum of Flight. Each year the Council entered into new operating agreements with these organizations. Their proposed budgets were part of those operating agreements and were public records.

The City Council thanked Mr. Hatch and received and filed the report.

PRESENTATION OF THE SANTA MARIA VALLEY CHAMBER OF COMMERCE AND VISITOR AND CONVENTION BUREAU MID-YEAR REPORT FOR THE PERIOD OF JULY 1, 2008, THROUGH DECEMBER 31, 2008.

Robert Hatch, President/CEO of the Santa Maria Valley Chamber of Commerce, introduced members of the Board of Directors who were present and Gina Keough, Visitor and Convention Bureau Manager, who gave the Mid-Year Report. During the first half of the 2008-09 fiscal year, transient occupancy tax totaled $2,359,926.53. The VCB participated in the California Travel & Tourism Commission's 2009 golf marketing program which highlights the best golf courses and resort accommodations throughout California for golfers, meeting planners, travel agents, and tour operators around the world with an interest in California golf experiences. The VCB Marketing Committee developed an interactive City map with the major streets and city icons included to help visitors get to where they want to be. On the flip side of the map was a listing of what there was to see and do in Santa Maria. The Bureau was once again working with Certified Folder Display to gain visibility for the Santa Maria Valley at 12 California Welcome Centers and two airports. Full color print advertising was placed in the *Trip Planner for Group Leaders, Central Coast Wine Country This Week, Solvang/Santa Ynez Visitor Guide, Santa Barbara County Destination Guide 2009, Central Coast Visitors Guide, and the California State Visitor Guide.* Bureau staff attended the Fabulous Food Fest in San Francisco, the CalSAE's Seasonal Spectacular in Sacramento, and the CalTIA's Beyond the Gateways Conference. Several special events received Special Project Grant funding including the Triple Crown Sports Hearts of Fire Tournament to be held in February, Rancho Bowl's West Coast Senior All State Doubles Tournament in March 2009, Santa Maria Valley Strawberry Festival in April, Santa Maria Swim Club OCS Championship Meet in March and Memorial Day Swim Meet in May, Horsepower Promotions Motorcycle Madness in May, West Coast Kustoms Cruisin' Nationals in May, and Bent Axles Street Rods 29th Annual Cruise & BBQ Weekend in July.

Joan Leon, Santa Maria Community Coalition, talked about the transient occupancy tax (TOT) and the City's ordinance. She said they had been informed that the City required

long-term residents to check out after 30 days and re-register so the City could continue collecting the TOT which seemed grossly unfair. Those people were likely workers in the area, not visitors. She talked about the distribution of the TOT. Since the Chamber of Commerce Board and the EDC Board were not subject to the Brown Act or open to the public, it was important that the tax money be carefully accounted for. The Coalition thought the public had a right to see how the TOT money was being used.

Council thanked Ms. Keough and the staff of the Chamber of Commerce for their hard work and the detailed report and received and filed the report.

Bob Hatch stated in light of the City's current financial situation, the Chamber was prepared to offer the City a five percent reduction in its next contract for the Visitor and Convention Bureau which would be somewhere around $32,000.

UNIFORM RULES FOR AGRICULTURAL PRESERVES

Advance Planner Smith gave the staff report. The California Legislature passed the Williamson Act in 1965 to preserve agricultural and open space lands by discouraging premature and unnecessary conversion to urban uses. The Act created an arrangement whereby private landowners contracted with counties and cities to voluntarily restrict land to agricultural and open space uses in order to receive a reduced property tax assessment. Within the City limits, there were three such contracts on agricultural properties, all of which were executed with Santa Barbara County by the property owners before each property was annexed into the City. Property owners for all three contracts had filed Notices of Non-Renewal. On September 16, 2007, the Santa Barbara County LAFCO approved the "Wastewater Treatment Plant Reorganization", annexing 270 acres of land into the City. As one condition to the County's Property Tax Sharing Agreement for that action, the City agreed to adopt Uniform Rules to administer the Williamson Act contracts for land within that 270-acre annexation. The proposed Uniform rules for Agricultural Preserves implemented the Williamson Act by defining eligibility requirements and compatible uses to which each participating landowner must adhere. The Uniform Rules applied only to the three existing contracts. This item was continued from the January 20, 2009, City Council meeting. Based on the discussions at that meeting, the following actions had been taken: policy language regarding opposition to new contracts was deleted on page 4 and 12 of the Rules; a comparison was done between the County's adopted Uniform Rules and the City's proposed Uniform Rules; and contact was made with Richard Quandt with the Grower-Shipper Association who indicated support of the Uniform Rules.

Richard Quandt, Grower-Shipper Association, stated the economy and health of the agriculture industry was very good. Agriculture was one of the economic mainstays of the community. The Grower-Shipper Association supported the Uniform Rules and thanked staff for modeling them after the County's Uniform Rules. He encouraged the Council to adopt them.

Resolution No. 2009-23 approving a Negative Declaration of Environment Impact for E-2008-055, was adopted on motion by Councilmember Orach, seconded by Councilmember Patino, and carried on the following vote:

AYES:	Councilmembers Cordero, Orach, Patino, and Mayor Lavagnino
NOES:	None
ABSENT:	Councilmember Zacarias
ABSTAIN:	None

Resolution No. 2009-23 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, FINDING NO SIGNIFICANT ADVERSE ENVIRONMENTAL IMPACT AND DIRECTING THE FILING OF A NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT REGARDING ADOPTION OF UNIFORM RULES FOR AGRICULTURAL PRESERVES LOCATED WITHIN THE CITY OF SANTA MARIA, E-2008-055.

Resolution No. 2009-24 approving the Uniform Rules for Agricultural Preserves was adopted on motion by Councilmember Orach, seconded by Councilmember Patino, and carried on the following vote:

AYES: Councilmembers Cordero, Orach, Patino, and Mayor Lavagnino
NOES: None
ABSENT: Councilmember Zacarías
ABSTAIN: None

Resolution No. 2009-24 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, ADOPTING THE UNIFORM RULES FOR AGRICULTURAL PRESERVES LOCATED WITHIN THE CITY OF SANTA MARIA.

CITY MANAGER'S REPORT
City Manager Ness reported on anticipated items for the March 3, 2009, City Council meeting including public hearings for a General Plan Amendment and Zone Change for Santa Maria Senior Village Apartments and the extension of the moratorium prohibiting the outdoor display and sale of flowers.

ORAL REPORTS BY COUNCILMEMBERS
Councilmember Cordero reported that on February 7th he attended the Special Olympics VIP Dinner, February 11th he went with Director Whitehead and Councilmember Orach to Santa Barbara to meet with representatives from the Army Corp of Engineers, February 13th he attended a press conference for the Highway 166 Task Force Team, and on February 14th he attended a fundraiser for a new youth group.
Councilmember Patino reported on February 4th she attended a Business Network meeting and a meeting with City Corps, February 7th she left for Washington, D. C. with five students representing Fighting Back Santa Maria Valley for a Community Anti-Drug Coalition of America (CADCA) Conference.

Mayor Lavagnino reported that he did a KSMA Radio interview with Greg Kosak regarding the Town Center East improvement plans, attended the Mayors and Managers meeting on Feb 6th, went to Washington, D. C. with Director Sweet regarding the Santa Maria Levee, and on February 17th he did a United Way interview for their 50th Anniversary.

Councilmember Orach reported on February 7th he attended the Special Olympics VIP Dinner, he also did a United Way interview, on February 11th he went with Councilmember Cordero to Santa Barbara to meet with the Army Corps of Engineers. He reported on the action taken at the LAFCO meeting on February 5th: Janet Wolfe and Doreen Farr were sworn in, he was appointed Chair and Marty Mariscal was appointed Vice Chair, they presented a plaque of appreciation to Brooks Firestone, approved the impartial analysis of the formation of the Santa Rita Hills Community Services District, and approved an annexation to the Carpentaria Sanitary District.

CLOSED SESSION:
Council recessed to a Closed Session at 9:25 p.m. for Conference with Labor Negotiators pursuant to Section 54957.6 of the Government Code: Agency Representative: Assistant City Manager, Employee Organization: Santa Maria Police Officers Association (SMPOA).

After the Closed Session, the following report was given:

Conference with Labor Negotiators – SMPOA: Direction to staff was given.

ADJOURNMENT
There being no further business to come before the City Council at this time, the meeting was declared adjourned by Mayor Lavagnino at 9:50 p.m.

APPROVED

March 3, 2009
Date

Chief Deputy City Clerk of the City of Santa Maria and ex officio Clerk of the City Council

ATTEST

Chief Deputy City Clerk

Mayor of the City of Santa Maria